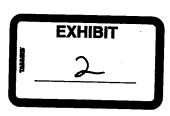
TODD KING, 7-22-08

1 1 IN THE UNITED STATES DISTRICT COURT FOR THE 2 NORTHERN DISTRICT OF OKLAHOMA 3 4 W. A. DREW EDMONDSON, in his) capacity as ATTORNEY GENERAL) 5 OF THE STATE OF OKLAHOMA and) OKLAHOMA SECRETARY OF THE 6 ENVIRONMENT C. MILES TOLBERT,) in his capacity as the 7 TRUSTEE FOR NATURAL RESOURCES) FOR THE STATE OF OKLAHOMA, 8 Plaintiff, 9)4:05-CV-00329-TCK-SAJ vs. 10 TYSON FOODS, INC., et al, 11 Defendants. 12 13 14 15 VOLUME I VIDEOTAPED DEPOSITION OF TODD KING, 16 produced as a witness on behalf of the Defendants in 17 the above styled and numbered cause, taken on the 23rd 18 day of July, 2008, in the City of Tulsa, County of 19 Tulsa, State of Oklahoma, before me, Marlene Percefull, 20 a Certified Shorthand Reporter, duly certified under and by virtue of the laws of the State of Oklahoma. 22 23 24 25

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1	discuss that.			
2	Q	In Paragraph 3.2.3 you state that on Page 17,		
3	you state that, "In addition, the sediments in Lake			
4	Tenk	Tenkiller contain excessive amounts of nutrients," and		
5	you	you go to state that, "The release of these nutrients, 11:36AM		
6	part	particularly phosphorous, protects the excess		
7	prod	production of algae." Who told you that?		
8	A	I'm sorry, where?		
9	Q	I'm at 3.2.3 on Page 17. It's the last two		
10	sent	sentences in the middle paragraph or the second 11:36AM		
11	paragraph?			
12	A	Primarily Drs.Welch and Cooke.		
13	Q	One the statement we just read is not the result		
14	of y	of your own independent investigation, is that true?		
15	A	No.	11:37AM	
16	Q	On Page 19, you talk about the next to the last		
17	paragraph, hypolimnetic withdrawal			
18	A	Uh-huh.		
19	Q	as being a lake restoration technique, do you		
20	see that?		11:37AM	
21	A	Yes, sir.		
22	Q	And the hypolimnion is the lowest strata in the		
23	lake, is that true?			
24	A	Yes, sir.		
25	Q	It's the bottom water?	11:38AM	

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1	you traced the injury back to any source site for any 5:09PM
2	one of these constituents of concern?
3	A Me personally, no.
4	Q Now, you mentioned that you other experts
5	defined for you what the injuries were and that defined 5:09PM
6	the scope your project going forward, right?
7	A Yes, sir.
8	Q Now, for the total nitrogen, who who told you
9	that there was an injury in the Illinois River
10	Watershed associated with total nitrogen and you needed 5:09PM
11	to address that?
12	A Actually, specifically for total nitrogen and
13	bacteria for the drinking water well, that was actually
14	based on my own analysis of the 60 wells.
15	Q Okay. All right. Because I have read all the 5:10PM
16	others expert reports and I want you to correct me if
17	my statement is wrong. I have not seen any of the
18	other causation expert reports submitted by the
19	plaintiff in this matter where an expert offered the
20	opinion that there was a problem with total nitrogen in 5:10PM
21	the Illinois River Watershed. I've only seen that in
22	your report, is that correct?
23	MR. BLAKEMORE: Object to form.
24	A I can't speak to all the other reports.
25	Q Are you aware of any other expert that has offered 5:10PM

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